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LONG ISLAND OFFICE

VIA OVERNIGHT MAIL

Honorable Leonard Wexler
United State District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: J. Barrows, Inc. v. Joseph Uvino, et al.
Docket No. CV 09-03905
Our File No.: 650-956

Honorable Judge Wexler:

I represent defendant Kaehler/Moore Architects in the above-referenced matter. I am writing with regard to the proposed judgment submitted by counsel for the Uvinos dated September 25, 2012. I am writing to propose a change to the Judgment and Order that were submitted. The first "Whereas" clause states that the Court has received argument at trial with respect to motions to dismiss and, as a result, the court issued a bench decision dismissing certain causes of action. In fact, motions for a directed verdict were made and granted. It is respectfully requested that the judgment and order be modified to reflect the nature of the motion that had, in fact, been made and granted by the Court.

Thank you for your consideration of this matter.

Respectfully submitted,



Michael J. Byrne

cc: All counsel of record
(listed below)

GOGICK, BYRNE & O'NEILL, LLP

Honorable Leonard Wexler

September 26, 2012

Page 2

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GOGICK, BYRNE & O'NEILL, LLP

Honorable Leonard Wexler

September 26, 2012

Page 3

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